

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

CHARLES GREGORY HICKS,

Plaintiff,

v.

JACOBS GROUP, INC.,

Defendant.

CASE NO: 4:22-cv-00044

NOTICE FOR REMOVAL OF ACTION

Defendant, Jacobs Group, Inc., by counsel, and for its Notice for Removal of Action, states as follows:

1. On January 24, 2022, Plaintiff filed his Complaint for Damages, against Defendant in the Jefferson Circuit Court of Indiana under Cause Number 39C01-2201-CT-000061.
2. In Plaintiff's Complaint, he improperly named as a defendant, JGI General Contractors.
3. On March 17, 2022, Plaintiff filed his First Amended Complaint for Damages, naming the proper Defendant, Jacobs Group, Inc.
4. In his Amended Complaint, Plaintiff alleges that on June 14, 2021, he was an invitee on the Jacobs Group's premises when he tripped and fell, causing his injuries and damages.
5. Plaintiff alleges that he sustained damages as a result of an incident at the Deputy Fire Department where Jacobs Group began construction.
6. Plaintiff is a citizen of the State of Indiana.
7. Defendant is incorporated under the laws of the State of Kentucky with its principal place of business in Buckner, Kentucky.

8. Defendant contends that this cause is removable under 28 U.S.C. § 1332 and none of the impediments to removal under 28 U.S.C. § 1445 are present in this action.

9. Defendant certifies that to the best of its knowledge, information and belief, the amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, as Plaintiff's Complaint has a prayer for damages as exceeding \$75,000.00 and alleges that Defendant breached its duty to Plaintiff causing Plaintiff to incur "pain and suffering, disability, permanent injury, impairment, disfigurement, mental anguish, and overall loss of the quality of his life and expenses."

10. Furthermore, on March 15, 2022, Plaintiff's counsel confirmed her client is seeking in excess of \$75,000 in damages.

11. This Petition for Removal is being filed with the Court within thirty (30) days after determining that the basis for diversity jurisdiction exists.

12. Copies of all pleadings filed in the state court action that are in the possession of Defendant are attached as "Exhibit A".

13. Contemporaneously, a written notice is being provided to all adverse parties and to the Clerk of the Jefferson County Circuit Court of Indiana that this Notice for Removal is being filed in this Court.

WHEREFORE, Defendant, Jacobs Group, Inc., prays that the entire state court action pending in the Jefferson County Circuit Court of Indiana, under Cause Number 39C01-2201-CT-000061, be removed to this Court for all further proceedings.

Dated: March 31, 2022.

Respectfully submitted,

KOPKA PINKUS DOLIN PC

By: /s/ Jessica N. Hamilton

Jessica N. Hamilton, Atty No. 34268-71

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2022, the foregoing has been filed through the Court's ECF system and notice has been electronically served on all counsel of record. Parties may access this filing through the Court's system.

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/s/ Jessica N. Hamilton

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